

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2009-238-S

IN RE:)
)
JACABB Utilities, LLC Request for the)
Approval of Amendment Number One)
to Agreements between The Cliffs at)
Mountain Park, LLC and JACABB)
Utilities, LLC and Village Overlook)
Condominium Association and)
JACABB Utilities, LLC)

**REQUEST FOR RULING ON
VILLAGE OVERLOOK CONDOMINIUM
ASSOCIATION'S
REQUEST FOR STAY**

Village Overlook Condominium Association (“VOCA”) hereby requests the South Carolina Public Service Commission (“Commission”) rule upon and grant VOCA’s September 29, 2014 request that the Commission stay this proceeding pending its decision on VOCA’s September 29, 2014 Complaint the Commission is addressing in Docket No. 2014-393-S.

On August 18, 2014, JACABB Utilities, LLC (“JACABB”) filed a Request for Approval of an April 13, 2011 Amendment Number One to Agreements between The Cliffs at Mountain Park, LLC and JACABB Utilities, LLC and Village Overlook Condominium Association and JACABB Utilities, LLC (the “2011 Amendment”) (JACABB’s “Request for Amendment”). On September 29, 2014, VOCA filed the Petition to Intervene, Objection to Filing, and Request for Stay (“Request for Stay”) attached as Exhibit 1, which VOCA incorporates by reference. Simultaneously, VOCA filed the Complaint for Relief Against Improper Charges and Request for Declaratory Ruling (“Complaint”) in Docket No. 2014-393-S, attached as Exhibit 2, which VOCA also incorporates by

reference. The Commission set testimony filing dates in Docket No. 2014-393-S by letter dated October 3, 2014 and has scheduled a hearing in that docket for February 24, 2015.

On October 15, 2014, the Commission granted VOCA's petition to intervene (Order No. 2014-823) and denied JACABB's Request to Waive Hearing (Order No. 2014-830). However, the Commission did not consider or rule upon VOCA's Request for Stay.

As more fully explained in VOCA's Request for Stay, VOCA's Complaint should be decided before the Commission entertains JACABB's Request for Approval. Among other things, in ruling upon VOCA's Complaint, the Commission will determine whether the 2009 VOCA Sewer Agreement that JACABB's 2011 Amendment seeks to amend is valid or enforceable. The Commission's ruling in this docket will therefore turn upon its decision in Docket No. 2014-393-S.

VOCA therefore respectfully requests the Commission stay JACABB's Request for Amendment in this docket until the Commission has heard and ruled upon VOCA's Complaint in Docket No. 2014-393-S.

Respectfully submitted,

ADAMS AND REESE LLP

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October 23, 2014

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2009-238-S

IN RE:

JACABB Utilities, LLC Request for the)	
Approval of Amendment Number One to)	
Agreements between The Cliffs at Mountain)	CERTIFICATE OF SERVICE
Park, LLC and JACABB Utilities, LLC and)	
Village Overlook Condominium Association)	
and JACABB Utilities, LLC)	

This is to certify that I have caused to be served this day, one (1) copy of the *Request for Ruling on Village Overlook Condominium Association's Request for Stay, Exhibits 1 and 2 and this Certificate of Service* by placing a copy of same in the care and custody of the United States Postal Service (unless otherwise specified), with proper first-class postage affixed hereto and addressed as follows:

VIA ELECTRONIC MAIL SERVICE AND FIRST CLASS MAIL SERVICE

James S. Eakes
Allen and Eakes
PO Box 1405
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VIA ELECTRONIC MAIL SERVICE AND FIRST CLASS MAIL SERVICE

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s/ Linda B. Brewer
Linda B. Brewer/Paralegal

October 23, 2014
Columbia, South Carolina